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## CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being submitted by First Class mail to the US Patent and Trademark Office: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 or transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. (571)273-8300.

Date: 12/27/06

By:

Patti Hespell

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In Re: Patent Application of Charles A. Eldering**

Conf. No.: 3153 : Group Art Unit: 2623  
Appln. No.: 09/516,983 : Examiner: Sheleheda, James R.  
Filing Date: 01 March 2000 : Attorney Docket No.: T702-02  
Title: Subscriber Characterization System With Filters

**TERMINAL DISCLAIMER AND STATEMENT OF COMMON OWNERSHIP**

In accordance with 37 C.F.R. § 1.321(b), Petitioner, Prime Research Alliance E., Inc. having a place of business at Craigmuir Chambers, PO Box 71 Road Town, Tortola, British Virgin Islands, represents that it is Assignee of the whole and entire right, title and interest in and to the above-identified application, which is related to U.S. Patent No. 6,457,010 ("the '010 patent"). The '010 patent was assigned to Petitioner by an Assignment recorded in the United States Patent and Trademark Office on September 17, 2006, at Reel 01139, Frame 0836. The present application was assigned to Petitioner by an Assignment recorded in the United States Patent and Trademark Office on September 17, 2006, at Reel 015139, Frame 0836. Based on a review of evidentiary documents relating to the chain of title from the original owner to Petitioner, the undersigned hereby certifies that to the best of their knowledge and belief, the present application and the '010 patent are commonly owned by Petitioner.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to § 156 of the '010 patent. Petitioner hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that it and the '010

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Application No. 09/516,983

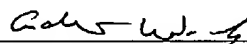
patent are commonly owned. This agreement runs with any patent on the present application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the present application that would extend to the expiration date of the full statutory term defined in 35 U.S.C. § 154 to § 156 of the '010 patent, in the event that the '010 patent later: expires for failure to pay a maintenance fee, is held unenforceable or is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or is terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a re-examination certificate, or is in any manner terminated prior to the expiration of its full statutory term.

The undersigned is empowered to act on behalf of Petitioner.

Respectfully submitted,

Date:

12/27/06

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